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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/587,894

07/28/2006

Eberhard Lung

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2339

2119 7590 07/14/2008  
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EXAMINER

LE, DANG D

ART UNIT

PAPER NUMBER

2834

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/587,894	<b>Applicant(s)</b> LUNG ET AL.	
	<b>Examiner</b> Dang D. Le	<b>Art Unit</b> 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11 and 13-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11, 13-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 11 and 13-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Claim 11 is objected to because of the following informalities: claim 11 is not clear because the Drawings and the specification do not show "a protrusion (3) in the circumference of the housing or the stator in a radially outward direction". The protrusion (3) is only shown in the circumference of the housing. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11 and 13-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnsen (5,331,238).

Regarding claim 11, Johnsen shows a stator assembly for an electrical machine, comprising a cylindrical housing (32, Figure 3B), a stator (38) disposed in the housing, at least one inward-oriented bead (at the arrow of 30) pressed into the housing and extending in the axial direction (X-X), and at least one inward- or outward- oriented

bead (52) disposed on the stator extending in the axial direction, wherein an inward-oriented bead (at the arrow of 30) is embodied by an indentation (Figure 3B) in the circumference of the housing (32) or the stator in a radially inward direction and an outward-oriented bead is embodied by a protrusion (53) in the circumference of the housing or the stator (38) in a radially outward direction.

Regarding claim 13, Johnsen also shows the at least one bead on the housing and the at least one bead on the stator being embodied such that in the installed state, the housing and the stator are connected at a plurality of connecting points and one gap each (42, 44, 46) is embodied in the circumferential direction between the respective connecting points.

Regarding claims 14 and 15, Johnsen also shows between a bead of the housing and a bead of the stator, there is a gap at the lowest point of the beads in the installed state (Figure 3B).

Regarding claims 16-18, Johnsen also shows between one bead of the housing and one bead of the stator in the installed state, a gap (44) between the housing of the stator is embodied at a transition from the outer diameter of the stator to the bead.

Regarding claims 19-21, Johnsen also shows a plurality of beads (three) being embodied on the housing and on the stator, said beads being each spaced apart equally from one another in the circumferential direction.

Regarding claims 22-24, Johnsen also shows each at least one bead on the housing in the axial direction correspond to a length of the stator in the axial direction.

Regarding claims 25-27, Johnsen also shows a bearing support for an armature shaft of the electrical machine formed integrally on the housing (column 1).

Regarding claims 28 and 29, Johnsen also shows securing openings formed integrally on the housing for securing the electrical machine (Figures 6 and 7).

Regarding claim 30, Johnsen also shows an electrical machine, including a stator assembly (Figure 6).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Information on How to Contact USPTO***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D. Le whose telephone number is (571) 272-2027. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dang D Le/  
Primary Examiner, Art Unit 2834

7/8/08